

**UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION**

UNITED STATES OF AMERICA)	DOCKET NO. 1:09CR23
)	
vs.)	<u>ORDER FOR DISMISSAL</u>
)	
5)KENNETH LEE GARDNER)	

THIS MATTER is before the Court on motion of the Government to dismiss the Bill of Indictment, as it relates to **KENNETH LEE GARDNER** only, without prejudice.

For the reasons stated in the motion and for cause shown,

IT IS, THEREFORE, ORDERED that the Government's motion is **ALLOWED**, and the indictment herein, as it relates to **KENNETH LEE GARDNER** only, is hereby **DISMISSED WITHOUT PREJUDICE**.

The Clerk is directed to transmit this Order electronically to Defendant's counsel, the United States Attorney, the United States Probation Officer, and to the United States Marshal.

Signed: July 31, 2009



Lacy H. Thornburg
United States District Judge

